Remarks

The Applicant has carefully reviewed and considered the Examiner's Office Action dated August 20, 2007. Reconsideration is respectfully requested in view of the following comments.

By this Amendment, claims 1, 12 and 20-21 are amended. Accordingly, Claims 1-4, 6-13, 15-17 and 19-21 are pending in the present application. 18 total claims are pending with 4 independent claims.

Claims 1-2, 4, 6, 8, 10, 12-13, 16 and 19 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent Application No. 2001/0025288 to Yanase et al. (hereinafter referred to as "Yanase"). This rejection is respectfully traversed.

As described in the paragraph spanning pages 20-21 of the present application, the claimed invention is directed to providing an information partitioning apparatus and method which can divide inputted electronic documents which does not have clear structural information. Thus, the independent claims of the present application are amended to recite that the inputted electronic document "does not have predetermined structure information". To the contrary, Yanase discloses a process of article division based on predetermined structure (i.e., line separators of characters) so that Yanase's predetermined rules have structure to separate work. That is, according to Yanase, one would have to locate the predetermined or preexisting multiple line separators to break down the article.

As shown in Figure 7 and paragraph [0084] of Yanase, Yanase discloses a method for partitioning an electronic mail that is distributed with the structure shown in Figure 7. If the electronic mail of Yanase did not have the predetermined structure shown in Figure

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7, the document could not be divided as the rules described in paragraphs [0080]-[0083]. That is, Yanase discloses a method that is designed to search for the predetermined structure in the electronic document.

On the contrary, an important feature of the claimed invention is that it deals with electronic documents which do not have predetermined structure information, as recited in the preamble and body of the four independent claims of the present application. Nowhere does Yanase disclose a division pattern storing means or a document dividing means for applying one of the stored division patterns to an inputted electronic document. Since Yanase discloses that the electronic document is distributed as shown in Figure 7 of Yanase, Yanase does not have to store division patterns; nor does Yanase need to apply one of the stored division patterns to the inputted electronic document. Thus, Yanese fails to disclose the claimed "division pattern storing means" and the "document dividing means for applying one or plural division patterns stored in the division pattern storing means to the inputted electronic document to divide the electronic document into plural partial documents. Without these elements, Yanase cannot divide information pieces in an electronic document which does not have clear structural information. It is this problem that the claimed invention solves: Enables one to divide an electronic document without structural information.

Consequently, Yanese cannot anticipate the claimed invention because it fails to disclose at least two elements in independent claims 1 and 12. Dependent claims 2, 4, 6, 8, 13 and 19 are allowable at least for the reasons given above. Accordingly, claims 1-2, 4, 6, 8, 12-13 and 19 are not anticipated under 35 U.S.C. §102(b) by Yanese. Withdrawal of this rejection is respectfully requested.

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With respect to claims 10 and 16 of the present application, the inputted electronic document does not need predetermined structure information (as disclosed by Yanase) for partitioning because the information partitioning apparatus of claim 10 can produce division pattern (structural information) by itself and can partition the electronic document by the produced division pattern. As mentioned above, Yanase requires predetermined structure information in the electronic document for partitioning. Thus, Yanase fails to disclose the division pattern producing means (step) of claims 10 and 16. Contrary to the Examiner' position, paragraph [0084] of Yanase discloses that the division patterns must first exist in the inputted electronic document. Nowhere does Yanase disclose that a division pattern can be applied to an electronic article; instead Yanase simply analyzes the structure information that is already present in the electronic article.

Yanese does not produce additional division patterns by reviewing inputted documents for character strings and does not register the produced division pattern [in a division pattern storing means], as required in dependent claims 10 and 16. Consequently, Yanese cannot anticipate claims 10 and 16 under 35 U.S.C. §102(b). Withdrawal of this rejection is respectfully requested.

Claims 3 and 7 were rejected under 35 U.S.C. §103(a) as being unpatentable over Yanase. Claims 9, 11, 15, 17, 20 and 21 were rejected under 35 U.S.C. §103(a) as being unpatentable over Yanase in view of U.S. Patent Application Publication No. 2003/0007397 to Kobayashi et al. (hereinafter referred to as "Kobayashi"). These rejections are respectfully traversed.

The above rejected claims depend from independent claims 1 and 12 and are at

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least patentable for the reasons given above. In addition, claims 1 and 12 have been amended to positively recite that the inputted electronic document does not have predetermined structure information as required by Yanase. Since Yanase does not disclose elements to produce division patterns in the inputted electronic document, Yanase teaches a method and apparatus that applies to restricted kinds of electronic document, whereas the claimed invention is directed to any inputted document, including those with no clear structural information.

While the secondary reference to Kobayashi may disclose a method that is able to determine if the text data is in the HTML format, XML format or an e-mail message, this is not the claimed invention. The claimed invention has a specific feature of a managing means (document kind discriminating means) that enables the claimed invention to establish patterns flexibly, which is not disclosed by Kobayashi. Accordingly, even if combined, one of ordinary skill in the art would not have achieved the claimed invention which requires division pattern storing means, and document dividing means for applying one or plural stored division patterns to the inputted document in order to divide the document into plural partial documents. Since Yanase teaches against the claimed invention by inputting the structural information with the distributed electronic mail, it is respectfully submitted that one of ordinary skill in the art would not have considered modifying Yanase to include the elements required by the claimed invention in order to provide the inputted electronic document with division patterns so the document can be divided.
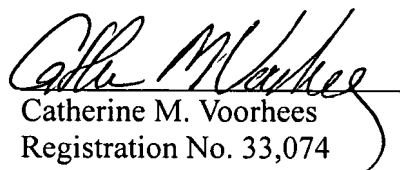
Since neither Yanase nor Kobayashi disclose the table (Figures 2-4 of the present application) that shows the discrimination pattern, division pattern or labeling pattern

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associated with a particular document kind, as required by the claimed invention, neither Yanese nor Kobayashi either alone or together can render the claimed invention unpatentable. The managing feature of the document kind discriminating means, or the tables for the division patterns and/or labeling enable the present invention to handle more complicated electronic documents, such as mail magazines and not just news information as taught by Yanese. See page 2, lines 11-22 and page 11, lines 17-20 of the present application.

For the above stated reasons, it is submitted that all of the claims are allowable over the prior art of record and are in condition for allowance. Therefore, it is respectfully submitted that this application be passed to issuance with claims 1-4, 6-13, 15-17 and 19-21.

Should the Examiner believe that a conference would advance the prosecution of this application, he is encouraged to telephone the undersigned counsel to arrange such a conference.

Respectfully submitted,

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